

Montana Department of Natural Resources and Conservation  
Water Resources Division  
Water Rights Bureau

**ENVIRONMENTAL ASSESSMENT**  
**For Routine Actions with Limited Environmental Impact**

**Part I. Proposed Action Description**

1. Applicant/Contact name and address: Wolff Ranch Inc  
1751 Highway 323  
Ekalaka, MT 59324-8704
2. Type of action: Change Application for Additional Stock Tanks 39E 30155697
3. Water source name: Groundwater, Well
4. Location affected by project: Sections 31, 32, and 33 T1S, R59E and Sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 14, 15, 17, 23, and 24 T2S, R59E all in Carter County
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

Statement of Claim 39E 37708-00 is for stock use from a well located in the NENWNE Section 12, T2S, R59E, Carter County. The Applicant is requesting to add 52 stock tanks associated with 43 places of use through this change authorization. The tank located at the original place of use in NENWNE Section 12, T2S, R59E, has been removed and will be replaced by a tank in the SENWNE Section 12, T2S, R59E. So, the original place of use will also be removed through this change authorization. No additional flow rate or volume are requested through this change application. This is an existing livestock watering system. The pipeline and stock tanks are already in place and fully operational. No new construction is proposed. The stock watering system distributes livestock across the landscape improve grazing management. The DNRC shall issue a change authorization if an applicant proves the criteria in 85-2-402 MCA are met. The new places of use are listed in the table below:

	Quarter Sections	Govt Lot	Section	Township	Range
1	SWSENE		31	1S	59E
2	NENENW		32	1S	59E
3	SESWNE		32	1S	59E
4	NENWSW		33	1S	59E
5	NWSENW		33	1S	59E
6		6	1	2S	59E
7	(4 waterers/4 hydrants)	11	1	2S	59E
8	(2 tanks)	12	1	2S	59E

9		13	1	2S	59E
10		14	1	2S	59E
11		15	1	2S	59E
12	SWNWSE		1	2S	59E
13	NWSWSW		1	2S	59E
14		10	2	2S	59E
15		12	2	2S	59E
16		14	2	2S	59E
17	SWNWSE		2	2S	59E
18	(2 tanks)	2	3	2S	59E
19	NENESW		4	2S	59E
20	SWSESW		4	2S	59E
21	NWSESE		4	2S	59E
22	SESESE		4	2S	59E
23		2	5	2S	59E
24		13	5	2S	59E
25	NWNWSW		5	2S	59E
26	SWNESE		5	2S	59E
27	NESENE		8	2S	59E
28	SWSENW		8	2S	59E
29	SWNWSW		8	2S	59E
30	SWSWSE		8	2S	59E
31	SWNWNE (1 tank/1hydrant)		9	2S	59E
32	NWSENE		10	2S	59E
33	SWSWSW		10	2S	59E
34	NWSESE		10	2S	59E
35	NWNENW		12	2S	59E
36	SENWNE		12	2S	59E
37	SWNWNW		14	2S	59E
38	SWSWSW		14	2S	59E
39	NWNWSW		15	2S	59E
40	NWNWNE		23	2S	59E
41	NWSENE		23	2S	59E
42	NESENE		23	2S	59E
43	SWSWNW		24	2S	59E

6. Agencies consulted during preparation of the Environmental Assessment:  
(include agencies with overlapping jurisdiction)  
Montana Department of Natural Resources and Conservation  
Montana Department of Fish, Wildlife, and Parks  
Montana Department of Environmental Quality  
Montana Sage Grouse Habitat Conservation Program  
Montana Natural Heritage Program  
United States Natural Resource Conservation Service  
United State Fish and Wildlife Service

## **Part II. Environmental Review**

### **1. Environmental Impact Checklist:**

<b>PHYSICAL ENVIRONMENT</b>
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#### **WATER QUANTITY, QUALITY AND DISTRIBUTION**

**Water quantity** – The water source is a well that has been in place since 1963. The proposed use will not increase the flow rate or volume of water already appropriated through Statement of Claim 39E 37708-00 and will have no effect on water quantity.

*Determination:* No significant impact

**Water quality** –The proposed plan to add stock tanks will not impair groundwater quality.

*Determination:* No significant impact

**Groundwater** – The addition of stock tanks to this existing use of a well will not have an impact on groundwater. The herd size will not increase under the proposed change. Neither the flow rate nor the volume will increase. There will be no change in the rate or timing of stock use. Only the place of use will change due to the addition of stock tanks. Water will be conveyed to the additional stock tanks through a pipeline so there will be no conveyance losses. The Applicant proposes to equip each stock tank with float/shut-off valves to control flow to the tanks.

*Determination:* No significant impact

**DIVERSION WORKS** - The system consists of a well, completed in 1963, and a pipeline system connected to 53 stock tanks that have been added over time. From the well, water is pumped at a rate of up to 20 GPM into the pipeline system. The pipeline system consists mainly of 1.25 to 1.5-inch buried PVC pipeline, while 1.5 to 2-inch buried HDPE was used for newer lines. Curb stop valves, gate valves, and ¼ turn valves regulate the flow of water through the system of approximately 30 miles of pipeline to hydrants, water fountains, and fiberglass and rubber stock tanks equipped with float/shut-off valves. Two other wells also supply water to the pipeline system. Under standard operating conditions, the well associated with 39E 38444-00 supplies the lower third of the system, the well associated with Statement of Claim 39E 37708-00 supplies the middle third of the system, and the well associated with Groundwater Certificate 39E

30155545 supplies the upper third of the system plus the shop and house. Water can be diverted from a single well through the entire pipeline system to any of the stock tanks if there is an issue with the other wells. Due to water quality issues, the wells associated with statements of claim 39E 38444-00 and 39E 37708-00 are only for stock use and will never be used to supply water to the shop or house. The pipeline system is already constructed and operational supporting that the means of diversion is adequate.

*Determination:* No significant impact

#### **UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES**

**Endangered and threatened species** – According to the Montana Natural Heritage Program, there are 9 animal species of concern in the proposed project area. Animal species of concern include Long-eared Myotis, Great Blue Heron, Golden Eagle, Ferruginous Hawk, Greater Sage-Grouse, Brewer's Sparrow, Snapping Turtle, Great Plains Toad, and Sauger. The Bald Eagle is a special status species in the project area. The Montana Natural Heritage Program indicates that Tall Dropseed is a plant species of concern and Many-stem Goldenweed is a potential species of concern in the project area. According to the Montana Sage Grouse Habitat Conservation Map, this project is within core and general sage grouse habit. The project is consistent with the Montana Sage Grouse Conservation Strategy according to a letter from Therese Hartman, Acting Manager, dated January 12, 2022. The proposed project is consistent with the current stock use of land in the area and is not likely to impact threatened or endangered species or create barriers to migration or movement of fish or wildlife.

*Determination:* No significant impact

**Wetlands** –The additional stock tanks for this project are not located within the areas identified as wetlands by US Fish and Wildlife Service National Wetlands Inventory.

*Determination:* No significant impact

**Ponds** – There are no ponds associated with the proposed project.

*Determination:* No impact

**GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE** – This stock watering system covers a broad area in T1S, R59E and T2S, R59E, Carter County. The system consists of approximately 30 miles of pipeline and 53 stock tanks. According to the USDA Natural Resources Conservation Service, there is a wide range of soil types in the project area including loams, silty clay loams, clays, and Vanda-Marvan complex soils. The addition of stock tanks on these soils is unlikely to cause significant impact on soil quality or stability.

*Determination:* No significant impact.

**VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS** – Existing vegetative cover in the area is rangeland. The addition of stock tanks will improve range management. The installation of pipelines and tanks may contribute to the establishment and spread of noxious weeds. It is the responsibility of the property owner to monitor for and implement measures for noxious weed control.

*Determination:* No significant impact

**AIR QUALITY** – The use of water from a well for stock purposes will not impact air quality.

*Determination:* No impact

**HISTORICAL AND ARCHEOLOGICAL SITES** – NA-project not located on State or Federal Lands.

*Determination:* Not applicable

**DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY** - No additional demands on environmental resources are recognized.

*Determination:* No impact

## HUMAN ENVIRONMENT

**LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS** – There are no known locally adopted environmental plans or goals.

*Determination:* Not applicable

**ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES** – The proposed project is located on privately owned agricultural land. The project will not impact access to recreational or wilderness activities.

*Determination:* No impact

**HUMAN HEALTH** – No impacts to human health have been identified for the proposed addition of stock tanks to an existing stock water right on a well.

*Determination:* No impact

**PRIVATE PROPERTY** - *Assess whether there are any government regulatory impacts on private property rights.*

*Yes\_\_\_ No x\_\_\_ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.*

*Determination:* No impact

**OTHER HUMAN ENVIRONMENTAL ISSUES** - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

*Impacts on:*

- (a) Cultural uniqueness and diversity? No significant impact
- (b) Local and state tax base and tax revenues? No significant impact
- (c) Existing land uses? No significant impact
- (d) Quantity and distribution of employment? No significant impact
- (e) Distribution and density of population and housing? No significant impact
- (f) Demands for government services? No significant impact
- (g) Industrial and commercial activity? No significant impact
- (h) Utilities? No significant impact
- (i) Transportation? No significant impact
- (j) Safety? No significant impact
- (k) Other appropriate social and economic circumstances? No significant impact

**2. *Secondary and cumulative impacts on the physical environment and human population:***

Secondary Impacts: No secondary impacts are recognized

Cumulative Impacts: No cumulative impacts are recognized

**3. *Describe any mitigation/stipulation measures:*** None

**4. *Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*** The alternative to the proposed project is the no action alternative. The no action alternative prevents the property owner from improving efficiency of the watering system and improving range management practices. The no action alternative does not prevent or mitigate any significant environmental impacts.

***PART III. Conclusion***

**1. *Preferred Alternative:*** Issue the change authorization if the applicant proves the criteria in 85-2-402 MCA are met.

**2 *Comments and Responses:*** None

**3. Finding:**

Yes\_\_ No\_**x** Based on the significance criteria evaluated in this EA, is an EIS required?

There are no significant impacts associated with the project so an environmental assessment is the appropriate level of analysis.

*Name of person(s) responsible for preparation of EA:*

*Name:* Jill Lippard

*Title:* Water Resource Specialist

*Date:* 07/18/2022